

POLICE ADVISORY AND REVIEW COMMITTEE
MINUTES, DECEMBER 8, 2020

Chairperson Rosa Mar called the meeting to order at 6:15 p.m. on Thursday, December 8, 2020, via Zoom.

PARC members present: Rosa Mar, Ken St. Germain, Anne Barker, and Jered Croom

PARC members not present: Frank Shanklin, Jr., Leticia Flores, Jenaé Easterly

PARC staff present: LaKenya Middlebrook, Executive Director

KPD/City of Knoxville Staff: Chief Eve Thomas; Attorney Ronald Mills; Dr. Charles Lomax, Jr., Community Empowerment Director; Debbie Sharp, Office of Neighborhood Empowerment Director; Sgt. Amanda Bunch; Lt. Steve Still

INTRODUCTION

Chairperson Mar welcomed attendees to the 3rd Quarter Police Advisory and Review Committee meeting. A motion was made by Ann Barker to hold the 2nd Quarter PARC meeting virtually out of necessity and public health concerns due to Covid-19; Ken St. Germain seconded the motion. The motion passed unanimously. Ms. Mar informed participants that questions and comments could be submitted via the “Chat” or “Q&A” features.

APPROVAL OF MINUTES

Ann Barker moved to approve the minutes of the September 10, 2020 meeting; Mr. St. Germain seconded the motion. There were no changes or adjustments to the minutes; the minutes were approved unanimously via roll call vote.

EXECUTIVE DIRECTOR’S REPORT & SPEAKING ENGAGEMENTS

Executive Director LaKenya Middlebrook gave the following Executive Director’s report for the 3rd Quarter:

Interim Director Ola Blackmon-McBride completed her service as Interim Director on July 8, 2020; LaKenya Middlebrook assumed the role of Executive Director on July 13, 2020.

AUDIT OF DISCIPLINE PROCESS

The Committee audits all completed investigations from the Internal Affairs Unit of the Knoxville Police Department. The results of the third quarter audits were as follows:

Total Cases Audited by Committee: 5

Officers Disciplined	2
Civilian Employees Disciplined	0

<u>Disciplines Imposed</u>	<u>Number of Officers</u>	<u>Number of Civilian Employees</u>
Written Reprimand	0	n/a
Verbal Counseling	2	n/a

The Police Advisory and Review Committee concurred with the Internal Affairs Unit’s conclusions on three of the cases reviewed; the Committee has requested additional information regarding two cases. The report will be updated upon further consideration of the Committee.

AUDITS OF KPD POLICIES AND PROCEDURES

The Executive Director reviewed the following ordinances, policies, and procedures as part of the evaluation of the Internal Affairs Investigations and complaints brought to the Executive Director:

- General Order 1.6 (Response to Resistance)
- General Order 2.16 (Microphone Use)
- Standard Operating Procedure 1.21 (Unsatisfactory Performance)
- Standard Operating Procedure 1.24 (Use of Force)
- Standard Operating Procedure 2.04 (Conduct – General)
- Standard Operating Procedure 3.00 (Courtesy)

ADVOCACY (STRENGTHENING THE RELATIONSHIP BETWEEN THE CITIZENS AND THE KPD)

- The Executive Director met with the Knoxville Police Department Chief of Police, Deputy Chiefs, Patrol Captains, Internal Affairs Unit investigators, and Academy training staff. Topics of discussion included processes for receiving and sharing information with PARC, opportunities to improve community-police relations, officer recruitment, and training curriculum.
- The Executive Director participated in meetings with the Mayor, representatives from City departments and community agencies to discuss concerns and opportunities to improve public safety in Knoxville.
- The Executive Director provided training to the Knoxville Police Department 2020-A recruit class on the purpose, history and structure of the PARC. The Executive Director participated in one session and lead one session of Cultural Competency Training to the KPD 2020-B recruit class. Training focused on understanding how cultural competence impacts policing, defining and understanding culture, understanding and identifying biases, and understanding what informs biases.
- The Executive Director participated in four City Council Workshops focused on policing and public safety.

NETWORKING, OUTREACH AND TRAINING

- The Executive Director participated in workshops about policing and public safety hosted by the Obama Foundation and the Government Alliance on Race and Equity (GARE).
- The Executive Director participated in the National Association for Civilian Oversight of Law Enforcement (NACOLE) Annual Conference. In addition to the Executive Director, three members of the Committee, Chief Thomas, Director Charles Lomax, and Attorney Ron Mills participated in conference sessions.
- The Executive Director participated in the Empower Knox Community Roundtable with community partners serving youth in Knoxville to discuss areas of concern, resources and strategies to empower youth and young adults to be successful.
- The Executive Director participated in meetings with staff from Johnson University to discuss opportunities to engage high school and college students in the work of PARC and public safety alternatives.
- The Executive Director attended a neighborhood meeting in Lonsdale, organized by the Office of



Neighborhood Empowerment. Attendees expressed to city staff and KPD their concerns around safety in the Lonsdale Community.

SPEAKING ENGAGEMENTS

- July 22, 2020 The Executive Director participated in a panel with Chief Eve Thomas and Dr. Avice Reid, hosted by the Executive Women’s Association, to discuss approaches to public safety, civilian oversight and concerns around policing in Knoxville.
- August 24, 2020 The Executive Director served as a panelist for a conversation on civic participation hosted by the Knoxville Area Urban League Young Professionals. The conversation focused on the importance of voting, civic education, participating in civic processes, and engaging with elected representatives.
- September 3, 2020 The Executive Director served as a presenter for the United Way of Greater Knoxville Young Leaders Society Great Conversation series. The Executive Director provided an overview of the racial history in Knoxville, specifically the experiences of Black Knoxvillians and the impact of policy and practices on the Black community.
- September 15, 2020 The Executive Director and PARC Chairperson Rosa Mar participated in a discussion about civilian oversight, policing and public safety with members of the University of Tennessee Public Administration Students Association.

Due to Covid-19, speaking engagements and networking opportunities were limited.

SUBCOMMITTEE REPORTS

Audio/Video Subcommittee Report (Ken St. Germain)

Of the three (3) Referral Action Forms and two (2) Internal Affairs Cases reviewed by the PARC, there were **five** cases with documented audio and video recording based on the incidents taking place in the vicinities of the officers’ patrol vehicle and within a recordable range.

Audio/Video Subcommittee submits the following findings for our **3rd Quarter** review:

- File #1 Referral Action Form
- The video and audio equipment for the officer involved were functioning and activated properly. The recordings captured the officer’s interactions with the person for whom the initial service call was made and the complainant and provided necessary information for the resolution of the complaint.
- File #2 Referral Action Form
- The video and audio equipment for the officers involved was function and activated properly. Video recordings showed when officers responded to calls for service and their survey of the alleged scene. Audio recordings captured the interaction during the initial call for service.



File #3 Referral Action Form

Upon arrival on the scene in response to a call for service, the first officer's in-car microphone was properly activated; the officer attempted to activate his body microphone but it did not work (the officer did not seem to be aware that it was not functioning). The second officer to arrive on the scene had a properly activated and functioning microphone. The recording captured the officers' engagement with the complainant and provided necessary information for the resolution of the complaint. A third officer was present on the scene but was not observed or heard interacting with the complainant.

File #4 IAU Case #19-2817

The incident was initiated by officers attempting to execute an arrest warrant. Three officers were present on the scene. Upon arrival, the second officer informed the first officer that his body microphone was not functioning and was left in the car. The first officer confirmed that his body microphone was activated and functioning. The third officer properly activated his body microphone. It should be noted that the second officer attempted to replace the malfunctioning microphone but no replacement was available.

File #5 IAU Case #19-2820

The incident was initiated by a call for service. Upon arrival on the scene, the first officer to respond activated his body microphone. The second officer arrives within a minute of the first officer. The second officer's body microphone was activated. The third officer arrived approximately one minute after the second officer. The third officer did not activate his body microphone until approximately six minutes after arrival on the scene. The body microphones of the first and second officers were properly activated and function.

IN SUMMARY

The Knoxville Police Department's General Order 2.16 (Digital In-Car Recording Equipment) details that Officers shall turn on their audio and video equipment when they are out of their patrol unit on a call-for-service in the event audio is needed to substantiate or assist with documentation of their law enforcement duties, i.e., domestic disturbance, etc. It should be remembered that the purpose of the in-car video equipment is to monitor all contacts with a person in the community in all situations possible.

We would also like to mention that the Knoxville Police Department requires Sergeants to review officers' audio and visual footage twice per month to ensure that their wireless microphones are operating properly.

Racial Profiling Subcommittee Report (Jered Croom)

There were no alleged racial profiling cases reviewed by PARC during the 3rd Quarter.

KPD Policy and Procedure Reviewed:

General Order 1.41 Bias Based Policing



I. Policy

It is the policy of the Knoxville Police Department that we are committed to preserving the peace and maintaining order in the City of Knoxville by practicing bias-free policing and respecting the rights and dignity of all citizens.

II. Definition

Bias Based Profiling - The practice of stopping, detaining or searching a person based solely upon a common trait or a group that includes but is not limited to their race, color ethnicity, age, gender sexual orientation, religion, economic status or any other identifiable group characteristic.

Operations Subcommittee Report (Ann Barker and LaKenya Middlebrook)
Quarter-to-date Operations Report (July 1, 2020-September 30, 2020)

Total Cases for the Quarter	8
Cases Closed in the Quarter*	8
Resolution of Cases Closed for the Quarter	
Executive Director	8
Mediation: Executive Director & KPD	0
Referrals to Appropriate Agencies	0
KPD	0
Total Cases Resolved	8
Total Cases Pending for the Quarter**	
PARC <i>Initiated</i> Cases Referred to IAU for the Quarter	0



IAU Completed Cases Reviewed by PARC for the Quarter	2
IAU Referral Action Forms Reviewed by PARC for the Quarter	3
IAU <i>Initiated</i> Referrals and Cases	0

*Includes 4 Cases from 2nd Quarter

**Includes 3 Cases from 2nd Quarter

TRAINING SESSION

Chief Eve Thomas provide an update on violent crime in Knoxville. Chief Thomas stated that violent crime has increased in Knoxville and nationally. She indicated that command staff reviews crime statistics weekly and that patrol staff and community partners meet weekly to discuss issues of concern in our community. Overall, violent crime in Knoxville is up about 10%, year-to-date from 2019. To date, there have been 34 homicides in Knoxville, up 62% from 2019, with a solve rate of 65%. KPD works with Federal, State and local partners to investigate and address violent crime.

CASE MATTERS ADDRESSED BY THE COMMITTEE

File 1: There were no additional questions raised by the committee regarding this matter.

File 2: There were no additional questions raised by the committee regarding this matter.

File 3: There were no additional questions raised by the committee regarding this matter.

File 4: Members asked if mental health resources are available to officers involved in shootings and other traumatic events. Chief Thomas indicated that officers do have access to mental health supportive services.

File 5: Jered Croom asked if KPD banned the use of vascular neck restraints and, if so, are their consequences if used. Chief Thomas states that vascular neck restraints are banned unless it is reasonably used in a “fight for life” situation.

Committee Business and Concerns to be Addressed

The Executive Director proposed setting a schedule for quarterly meetings for 2021. Ken St. Germain made a motion that the committee meet on the 4th Thursday of the month following the close of each quarter. Ann Barker seconded the motion. The motion passed unanimously through a roll call vote.

Jered Croom made a motion for the Committee to hold an additional workshop to discuss the recommendations of the Progressive Action Committee. Ken St. Germain seconded the motion. The motion passed unanimously through a roll call vote.

The Executive Director asked Mr. Mills about the ramifications of new committee members being unable to complete the Citizens Police Academy (CPA), as required by ordinance. Mr. Mills suggested including the inability of new members to complete the CPA or sending a letter to the Mayor and City Council explaining the inability of new members to complete CPA, and carbon copy the Chairperson.

PUBLIC FORUM



There were four persons signed up to speak. Three persons who had requested to speak were not present on the call. Elizabeth Rowland spoke about the recommendations from the Progressive Action Committee and the need for non-law enforcement responses to community needs and/or calls for service.

COMMUNITY UPDATES

There were no community updates

ADJOURN

Ann Barker moved to adjourn, seconded by Jered Croom. Chairperson Mar called the meeting adjourned at 7:17 p.m.

